



D. W. Gruy

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Delitz, et al.

Serial No.: 10/568,141

Filed: June 30, 2004

For: Method and Device for
Processing Graphical Information
Found of Postal Deliveries

Group Art Unit: To be assigned

Examiner: To be assigned

I hereby certify that this paper (or fee) is being deposited with the United States Postal Service, first class postage prepaid, addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

August 10, 2006

James P. Zeller
Reg. No. 28,491

SUBMISSION OF INTERNATIONAL REPORT ON PATENTABILITY TRANSLATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith is an English translation of the international preliminary report on patentability.

Respectfully submitted,

MARSHALL, GERSTEIN & BORUN LLP

By: James P. Zeller, Reg. No. 28,491
Attorney for Applicant
6300 Sears Tower
233 S. Wacker Drive
Chicago, Illinois 60606-6357
(312) 474-6300

August 10, 2006

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference DPA5304PT-WO	FOR FURTHER ACTION See Form PCT/IPEA/416	
International application No. PCT/DE2004/001377	International filing date (day/month/year) 30.06.2004	Priority date (day/month/year) 11.08.2003
International Patent Classification (IPC) or national classification and IPC B07C3/08, G06F17/60		
Applicant DEUTSCHE POST AG		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 5 sheets, including this cover sheet.

3. This report is also accompanied by ANNEXES, comprising:

a. ☒ (sent to the applicant and to the International Bureau) a total of 11 sheets, as follows:

☒ sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).

☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.

b. ☐ (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).

4. This report contains indications relating to the following items:

☒ Box No. I Basis of the report

☐ Box No. II Priority

☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

☐ Box No. IV Lack of unity of invention

☒ Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

☐ Box No. VI Certain documents cited

☐ Box No. VII Certain defects in the international application

☒ Box No. VIII Certain observations on the international application

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/DE2004/001377

Box No. I

Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language _____ which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
- ☐ publication of the international application (Rule 12.4)
- ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages 1-3, 5-25 as originally filed/furnished
- pages* 4, 4a received by this Authority on 03.06.2005 with letter of 31.05.2005
- pages* _____ received by this Authority on _____
- ☒ the claims:
- nos. _____ as originally filed/furnished
- nos.* _____ as amended (together with any statement) under Article 19
- nos.* 1-33 received by this Authority on 03.06.2005 with letter of 31.05.2005
- nos.* _____ received by this Authority on _____
- ☒ the drawings:
- sheets 1/4-4/4 as originally filed/furnished
- sheets* _____ received by this Authority on _____
- sheets* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (specify): _____
- ☐ any table(s) related to sequence listing (specify): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (specify): _____
- ☐ any table(s) related to sequence listing (specify): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/DE2004/001377

Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-33	YES
	Claims		NO
Inventive step (IS)	Claims	1-33	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-33	YES
	Claims		NO

2. Citations and explanations (Rule 70.7)

1 Claim 1

1.1 Document WO-A-02/082235 (D1) discloses a method for processing graphic information on items of mail, wherein the graphic information is detected, evaluated and stored, and wherein the detected graphic information is used for physically sorting mail items, wherein depending on the first result of the graphic information evaluation a database is updated with additional sorting features, wherein the video data of the surface contained in the graphic information are stored, and wherein in addition, on the basis of the updated database, a second result of the analysis is determined and the first item of mail undergoes further physical sorting.

1.2 The subject matter of independent claim 1 therefore differs from this known method in that, depending on the analysis results, the graphic information of a first mail item is sorted, and by the sorting of the graphic information of the first mail item a physical sorting of a second

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/DE2004/001377

Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

mail item is triggered.

- 1.3 A procedure of this kind is not known from or suggested to a person skilled in the art by the prior art, and therefore the subject matter of claim 1 meets the requirements of PCT Article 33(2) and (3).

2 Claim 28

- 2.1 The subject matter of independent device claim 28 differs from the prior art at least by virtue of the device features corresponding to the distinguishing method features, that is to say, a means for bringing about the physical sorting of a second mail item as a result of the first result of the analysis of the graphic information of a first mail item, with which a database is updated.

- 2.2 A procedure of this kind is not known from or suggested to a person skilled in the art by the prior art, and therefore the subject matter of claim 28 satisfies the requirements of PCT Article 33(2) and (3).

3 Claims 2-27 and 29-33

- 3.1 These dependent claims contain embodiments of the subject matter of claims 1 and 28. Consequently, they satisfy the requirements of PCT Article 33(2) and (3).

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/DE2004/001377

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

- 4 The subject matter of independent claims 1 and 28 does not satisfy the requirements of PCT Article 6, for the following reasons:

Claim 28 appears to contain device features essential to the invention, which are not reflected in the corresponding method claim 1. This concerns in particular the means for recognising different ways of paying for the mail items, wherein both the image processing units and the means for recognizing the different payment possibility are disposed in a data network.